



General Assembly

February Session, 2004

***Raised Bill No. 5542***

LCO No. 1937

\*01937\_\_\_\_\_GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

***AN ACT CONCERNING AUTOPSY REPORTS OF PERSONS WHO DIED AS A RESULT OF POLICE ACTIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-411 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Office of the Chief Medical Examiner shall keep full and  
4 complete records properly indexed, giving the name, if known, of  
5 every person whose death is investigated, the place where the body  
6 was found, the date, cause and manner of death and containing all  
7 other relevant information concerning the death and a copy of the  
8 death certificate. The full report and detailed findings of the autopsy  
9 and toxicological and other scientific investigation, if any, shall be a  
10 part of the record in each case. The office shall promptly notify the  
11 state's attorney having jurisdiction of such death and deliver to the  
12 state's attorney copies of all pertinent records relating to every death in  
13 which further investigation may be advisable. Any state's attorney,  
14 chief of police or other law enforcement official may, upon request,  
15 secure copies of such records or other information deemed necessary

16 by such official for the performance of his or her official duties.

17 (b) The report of examinations conducted by the Chief Medical  
18 Examiner, Deputy Chief Medical Examiner, an associate medical  
19 examiner or an authorized assistant medical examiner, and of the  
20 autopsy and other scientific findings may be made available to the  
21 public only through the Office of the Chief Medical Examiner and in  
22 accordance with this section, section 1-210, as amended, and the  
23 regulations of the commission. Any person may obtain copies of such  
24 records upon such conditions and payment of such fees as may be  
25 prescribed by the commission, except that no person with a legitimate  
26 interest in the records shall be denied access to such records, and no  
27 person may be denied access to records concerning a person in the  
28 custody of the state at the time of death or concerning a person who  
29 died directly or indirectly as the result of any police action or activity.  
30 As used in this section, a "person in the custody of the state" is a  
31 person committed to the custody of (1) the Commissioner of  
32 Correction for confinement in a correctional institution or facility or a  
33 community residence, (2) the Commissioner of Children and Families,  
34 or (3) the Commissioner of Mental Retardation, and "police action or  
35 activity" means any act undertaken by any state, town or municipal  
36 law enforcement officer in the furtherance or course of conducting  
37 such officer's duties.

38 (c) Upon application by the Chief Medical Examiner or state's  
39 attorney to the superior court for the judicial district in which the  
40 death occurred, or to any judge of the superior court in such judicial  
41 district when said court is not then sitting, said court or such judge  
42 may limit such disclosure to the extent that there is a showing by the  
43 Chief Medical Examiner or state's attorney of compelling public  
44 interest against disclosure of any particular document or documents.  
45 Public authorities, professional, medical, legal or scientific bodies or  
46 universities or similar research bodies may, in the discretion of the  
47 commission, have access to all records upon such conditions and  
48 payment of such fees as may be prescribed by the commission. Where

49 such information is made available for scientific or research purposes,  
50 such conditions shall include a requirement that the identity of the  
51 deceased persons shall remain confidential and shall not be published.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

***Statement of Purpose:***

To help reestablish accountability and public confidence by making findings of autopsies conducted by the Chief Medical Examiner available to members of the public in those cases where the deceased died as the result of police action.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*